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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DARREN BROWNE, A.K.A. AARON
BROWNE,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, SHERIFF'S DEPT., ET
AL,

Defendants.

Case No. 03-CV-00047 PJH

**STIPULATION AND ~~PROPOSED~~
ORDER AMENDING SUMMARY
JUDGMENT BRIEFING SCHEDULE
AND HEARING DATE**

GOOD CAUSE APPEARING, the parties stipulate, through their attorneys of record, to the entry of an order as follows:

On March 20, 2008 the Court ordered defendants to file their motion for summary judgment on December 3, 2008, plaintiff to file his opposition on December 17, 2008, defendants to file their reply on December 24, 2008, and the summary judgment hearing to be held on January 14, 2009 at 9:00 a.m.

Counsel for the parties agree and stipulate that defendants can file their motion for summary judgment on January 28, 2009, plaintiff can file his opposition on February 11, 2009, defendants can

file their reply brief on February 18, 2009, and the summary judgment hearing will be held on March 4, 2009 at 9:00 a.m.

This request is made because, despite extensive efforts, defendants have not yet been able to complete the deposition of plaintiff Darren Browne and because defense counsel Rob Bonta will be on parental leave from December 18, 2008 to January 20, 2009. Plaintiff was deposed for a full day, but the deposition was not completed and, to date, efforts to schedule a follow-up deposition session have proven unsuccessful.

There have been no other time modifications to the summary judgment briefing schedule or to the Court's March 20, 2008 Case Management Order.

This request will have no impact on any other portion of the schedule of the case. This modest continuance will not impact any future dates as no other dates after the summary judgment hearing have been set, including any expert discovery cutoff dates or a trial date.

The parties therefore jointly stipulate and request that the Court adopt the amended summary judgment briefing schedule and hearing date, as set forth above.

December 3, 2008

/s/

Robert A. Bonta

Attorneys for Defendants
SAN FRANCISCO SHERIFF'S DEPUTIES
MADDEN, CASTRO, MILLER, FIELDS
AND SERGEANT FREEMAN

December 3, 2008

/s/

Harriet Pauline Ross, Esq.

Attorney for Plaintiff
DARREN BROWNE

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 4, 2008

Honorable Phyllis J. Hamilton
United States District Court

